

STATE OF INDIANA) IN THE MARION COUNTY CIRCUIT COURT
) SS:
COUNTY OF MARION) AVC NO. 01-021

IN RE: JOE'S AUTO SALES, INC.,)
)
 Respondent.)

FILED
MAR 02 2001

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Terry Tolliver, and the Respondent, Joe's Auto Sales, Inc., enter into an Assurance of Voluntary Compliance (Assurance) pursuant to Indiana Code §24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law, and upon consent of the parties.

The parties agree:

1. Respondent is an Indiana corporation engaged in the sale of used automobiles, with a principal place of business at 3421 West Washington Street, Indianapolis, Indiana 46222, and transacts business with Indiana consumers.
2. The terms of this Assurance apply to and are binding upon Respondent, its employees, agents, representatives, successors, and assigns.
3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*

STATE'S
EXHIBIT

A

4. Respondent shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, regarding its ability to deliver certificates of title for motor vehicles to vehicle purchasers unless Respondent actually intends to provide and, in fact, provides consumers with motor vehicle certificates of title as represented.

5. Respondent agrees to immediately comply with all provisions of Ind. Code §9-17-3-3, including but not limited to:

- a. endorsing the certificate of title for a vehicle which is sold or has ownership transferred by Respondent;
- b. delivering the endorsed certificate of title to the purchaser or transferee at the time of sale or delivery;
- c. if the conditions under Ind. Code §9-17-3-3(a)(4) (A-D) are met, delivering the endorsed certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale.

6. Respondent will immediately comply with all provisions of Ind. Code §9-18-26-10 and 140 IAC 3.5-2-15, including but not limited to, issuing no more than one interim license plate to a motor vehicle purchaser.

7. Upon execution of this Assurance, Respondent shall pay costs in the amount of \$500.00 to the Office of the Attorney General.

8. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

9. Respondent shall fully cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

10. The Office of the Attorney General shall file this Assurance with the Circuit Court of Marion County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

DATED this 24 day of February, 2001.

STATE OF INDIANA

Steve Carter
Indiana Attorney General

By: Terry Tolliver
Terry Tolliver
Deputy Attorney General
Atty. No. 22556-49
Office of Attorney General
402 W. Washington, 5th Floor
Indianapolis, Indiana 46204
Telephone: (317) 233-3300

RESPONDENT

JOE'S AUTO SALES, INC.

By: [Signature]
Printed Name: Gary Clark
Title: Manager

APPROVED this _____ day of MAR 02 2001, 2001.

[Signature]
Judge, Marion Circuit Court